STUDENT _____ CLASS _____ DATE _____

LESSON 3—1 QUIZ

Legal Concepts

Directions: Fill in the blank(s) with the most appropriate term or phrase to complete the sentence.

Answers

1. An independent third party called a(n) _____ may be able to help two disputing parties reach a solution. 1._____

2. _____ are officers who carry out judgments in state court systems. 2._____

3. _____ carry out judgments in federal court systems. 3._____

4. A(n) _____ is a governmental forum that administers justice under the law. 4._____

5. A(n) _____ decision is binding on both parties. 5._____

6. A decision to _____ or take a dispute to court could be avoided through negotiation. 6._____

7. Attorneys may submit _____ that contain written arguments on issues of law. 7._____

8. A verbatim record written during a trial is called a(n) _____. 8._____

Legal Application

9. Jack Taylor lives in a town that requires its residents to maintain the sidewalks in front of their homes. Jack's elderly neighbor, Zelma Showalter, trips over a large crack in his sidewalk. Her knee injury requires extensive surgery and she must go through three months of physical therapy. Zelma plans to sue Jack for improperly maintaining his sidewalk. Jack is sure that Zelma will win the case, and he will be forced to pay her medical bills as well as expensive court costs. What alternatives to litigation might Jack pursue with Zelma?

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STUDENT _____ CLASS _____ DATE _____

LESSON 3—1 PRACTICE ACTIVITY

Read the following cases and answer the questions about them. Attach a page if additional space is needed for answers.

1. A group of securities investors signed agreements which required that any disputes between them and the investment company would be settled by submitting the claims to binding arbitration rather than filing a lawsuit in court. When the investors' investments went bad, they brought suit in court alleging fraud and unauthorized transactions in violation of the securities laws, in spite of their written agreement to submit the matter to arbitration. Should their case be heard in court? [*Rodriquez de Quijas v. Shearson/American Express*, 490 U.S. 477 (1989)]

2. Charlotte and John were married and had two children. John deserted his family, and Charlotte had not heard from him in eight years. Charlotte then filed for social security benefits for their children on the grounds that John was presumed dead. The Social Security Administration refused to pay the benefits because Charlotte had not proven John to be dead. Should she have to? Why or why not? [*Edwards v. Califano*, 619 F. 2d 865 (10th Cir. 1980)]

STUDENT _____ CLASS _____ DATE _____

LESSON 3—1 RETEACH

Directions: Circle the answer to each question in the puzzle below. Answers may appear in horizontal, vertical, or diagonal form. They may also be written backwards or from the bottom to the top of the puzzle.

1. Officers who carry out judgments for federal courts are called _____.
2. What is a governmental forum that administers legal justice? _____
3. A third-party negotiator whose decision is binding is called a(n) _____.
4. A third-party negotiator whose decision is not binding is called a(n)_____.
5. What kind of court hears disputes first? _____
6. Which court that tries a case is said to have original jurisdiction over it? _____
7. The verbatim record written during a trial is called the _____.
8. What type of court may review the decision of a lower court? _____
9. A written argument on law issues is called an appellate _____.
10. Officers who carry out judgments for state courts are called _____.
11. What term means taking a dispute to court? _____
12. What court officer enters cases on the court calendar? _____

T	Z	T	R	A	N	S	C	R	I	P	T
S	S	R	U	M	A	R	S	R	L	T	S
R	W	A	L	B	A	T	H	G	I	L	F
I	T	A	R	C	L	R	S	E	T	A	F
F	R	M	O	L	M	A	S	M	I	K	I
Z	U	N	T	E	B	A	I	H	G	J	R
R	O	T	A	R	T	I	B	R	A	A	E
U	C	S	I	K	B	N	O	O	T	L	H
O	R	E	D	R	I	M	L	C	E	F	S
P	F	N	E	T	A	L	L	E	P	P	A
M	E	D	M	I	B	A	B	R	E	V	O

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LESSON 3—2 QUIZ

Legal Concepts

Directions: In the Answers column, write the letter from Column 1 that represents the word or phrase that matches the statement in Column 2.

Column 1	*Column 2*	**Answers**
A. appellate	1. A type of jurisdiction that permits a court to hear any kind of case.	1. _____
B. one	2. A type of court that does not accept new evidence or call witnesses.	2. _____
C. U.S. Supreme Court	3. The number of federal courts of appeal	3. _____
D. writ of certiorari	4. A court that has both appellate and original jurisdiction	4. _____
E. general	5. The lowest federal court with general jurisdiction	5. _____
F. Federal Judiciary Act	6. The number of circuit courts in the federal system	6. _____
G. twelve	7. The legislation that established the circuit courts of appeal	7. _____
H. federal district court	8. A type of jurisdiction that permits a court to hear one specific type of case	8. _____
I. thirteen	9. The number of courts of appeal for the "federal circuit"	9. _____
J. special	10. An order that compels a state court to turn over case records to the Supreme Court	10. _____

Legal Applications

11. Luis Ramirez, owner of an office building in Pittsburgh, plans to sue the building's carpenter, John Anderson, who also lives in Pittsburgh. Luis's new shingle roof leaked and caused moderate damage to the interior walls, ceilings, etc. Luis is seeking $70,000 in damages. Luis's attorney has promised to pursue the case through all levels of both the state and federal court systems. Is Luis's attorney making a false promise? Could his case be taken to the U.S. Supreme Court? Explain.

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LESSON 3—2 PRACTICE ACTIVITY

Read the following cases and answer the questions about them. Attach a page if additional space is needed for answers.

1. During the Persian Gulf conflict in 1990, the United States sent thousands of soldiers to the Iraq and Kuwait area. Because the government was concerned that Iraq might use chemical warfare, it wanted to use two experimental drugs that it believed would protect the soldiers against chemical attack. The drugs had not been approved by the Food and Drug Administration (FDA), which is the government agency responsible for approving the use of drugs. The FDA required the government to get permission from each soldier before using the drug on him or her. The government thought this was impractical, so it petitioned the FDA to modify this rule to allow for the drug to be used in combat-related situations without complying with the permission requirement. The FDA agreed. John Doe, a soldier stationed in the Persian Gulf, filed a class action lawsuit on behalf of himself and other soldiers challenging the rule that the unapproved drug could be used on soldiers without giving them notice or receiving their permission. The government argued that the court was unable to decide the issue because only the executive and legislative branches had authority over the government during times of war. Is the government correct? [*Doe v. Sullivan*, 938 F. 2d 1370 (D.C. Cir. 1991)]

2. Gafford was a meeting planner at General Electric in Jefferson County, Kentucky. After being passed over for several promotions, she sued GE for discrimination in Kentucky state court. Had she been successful in her suit, she would have been entitled to more than $50,000 in back pay. GE petitioned the court to move the case to federal court based on diversity jurisdiction. GE alleged that its primary place of business was at the home office in New York, and not, as Gafford alleged, in Jefferson County where it operated a plant employing more than 9,000 people. GE also argued that the federal court was the proper jurisdiction because the matter at issue was more than $50,000 (the minimum needed at the time for the federal court to have jurisdiction over a diversity of citizenship case). Will GE get to move the case to federal court? [*Gafford v. General Electric*, 997 F. 2d 150 (6th Cir. 1993)]

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LESSON 3—2 RETEACH

Directions: Give each student three slips of paper with federal district court (FDC), federal court of appeals (FCA), and U.S. Supreme Court (USSC) written on them. A different color of paper might be used for the different types of courts. Ask the students to hold up the correct paper as each question is read.

Answers

1. Which court is the lowest level in the federal court system with general jurisdiction?
2. Which court has appellate jurisdiction over district courts?
3. Which type of court has twelve courts that are considered circuit courts for a specific geographic area?
4. Which court has original jurisdiction over cases affecting ambassadors and public ministers?
5. Which court has original jurisdiction over lawsuits between citizens of different states?
6. Which court's decisions can be overturned by a constitutional amendment?
7. Which type of court has thirteen different courts in the federal system?
8. Which court has both original and appellate jurisdiction?
9. Which type of court does not accept new evidence or call witnesses?
10. Which court has original jurisdiction over lawsuits involving more than $75,000?
11. Which court can issue a writ of certiorari to state courts?
12. Which court can overturn decisions made by the Supreme Court?

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LESSON 3—3 QUIZ

Legal Concepts

Directions: Fill in the blank(s) with the most appropriate term or phrase to complete the sentence.

		Answers
1.	___?___ courts are lower courts that hear minor criminal cases and lawsuits that involve less than $25,000.	1. _____
2.	Juvenile courts emphasize ___?___ rather than punishment.	2. _____
3.	Associate circuit courts are also called ___?___ courts.	3. _____
4.	___?___ courts handle cases involving $2,500 or less.	4. _____
5.	A(n) ___?___ keeps an exact account of what goes on at trial.	5. _____
6.	___?___ courts hear cases involving young people between the ages of 13 and 18.	6. _____
7.	A(n)___?___ is a judge who sits on a state supreme court.	7. _____
8.	___?___ courts administer wills and estates.	8. _____
9.	Cities have ___?___ courts that administer their ordinances.	9. _____
10.	A(n)___?___ is an offense against society.	10. _____

Legal Application

10. Rick agreed to work as an assistant at a community fairground office. He was supposed to work for five hours each afternoon during the summer and his wages were to be $3,000. He was paid only $1,800. The community claims lack of funding and that they therefore cannot pay the remaining $1,200. Which court should hear Rick's case? Should he plan to have an attorney represent him?

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LESSON 3—3 PRACTICE ACTIVITY

Read the following cases and answer the questions about them. Attach a page if additional space is needed for answers.

1. Marie Kelly sued the Zaks after she was injured in a head-on collision. The automobile that hit her was driven by Donald Gwinnell. Donald had been at the Zaks' home immediately before the accident and had been served a large amount of alcohol by the Zaks. The Zaks then allowed Donald to drive himself home during which time he struck the car driven by Marie Kelly. If state law does not impose liability on the Zaks for Donald's acts, can the courts hold them liable for Kelly's injuries? Why or why not? [*Kelly v. Grinnell,* 476 A. 2d 1219 (N.J. 1984)]

2. When an adult is found guilty of a crime, he is convicted and his conviction becomes part of his permanent record. When a juvenile is found guilty of committing a crime, he is adjudicated delinquent and his record is sealed (except under extraordinary circumstances). Once he becomes an adult, his juvenile delinquency record disappears. When an adult is sentenced to jail or prison, he has to serve his sentence until it is completed, no matter how old he becomes. When a juvenile is sentenced to a juvenile detention facility, he must be released by his 21st birthday, no matter what crime he has committed. Do you think this is fair? Why or why not?

STUDENT _____ CLASS _____ DATE _____

LESSON 3—3 RETEACH

Directions: Unscramble the letters following each question and write the answer in the blank provided.

		Answers
1.	What kind of court administers wills? *abepotr*	1._____
2.	What is a judge on the Supreme Court called? *iejtusc*	2._____
3.	What kind of court administers city ordinances? *mpiilnuca*	3._____
4.	A court of _____ keeps an exact account of what goes on at a trial. *dcrreo*	4._____
5.	What kind of court handles cases involving $2,500 or less? *lslma mlisca*	5._____
6.	What kind of court administers estates? *petbora*	6._____
7.	What kind of court hears cases involving young people that are under age 18? *leevjuni*	7._____
8.	What is another name for associate circuit courts? *toyucn rusoct*	8._____
9.	What do juvenile courts usually recommend rather than punishment? *niitorbahielta*	9._____
10.	What kind of circuit courts hear minor criminal cases and lawsuits that involve no more than $25,000? *scetaisao*	10._____
11.	What kind of court is known in other states as superior court, district court, or court of common pleas? *truicci*	11._____
12.	What is the title given to judges who sit on state supreme courts? *cejsuti*	12._____
13.	What type of conviction has a guaranteed right to appeal to the state supreme court? *ipatacl drermu*	13._____
14.	What is the typical number of justices who sit on an appeal? *hreet*	14._____

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